

shall wittingly celebrate the rites of matrimony between any such, without leave of the master or mistress of such servant, he shall forfeit and pay for every offence fifty pounds current money.

C H A P.  
XII.

XII. And be it enacted, That all licences for marriage shall be issued by the clerk of the court of that county where the woman shall have her usual residence, under the seal of his county, in the following form, to wit :

County clerks  
to issue li-  
cences, &c.

Whereas application hath been made to me by A. B. of ——— county, and C. D. of ——— county, for licence to be joined in holy matrimony : These are therefore to authorize and license you to solemnize the rites of marriage between the said persons, according to law, there appearing to you no lawful cause or just impediment, by reason of any consanguinity or affinity, to hinder the same.

Given under my hand and the seal of my office this ——— day of ——— in the year seventeen hundred and ———.

To the reverend Mr. ———, or any other person qualified by law to celebrate the marriage in the state of Maryland.

XIII. And be it enacted, That there shall be paid to the clerk granting such licence the sum of thirty shillings current money, and he shall annually in the month of November, return on oath a list of licences by him granted, the date, and the persons to whom granted, to the treasurer of his shire ; and shall at such time pay to such treasurer twenty-five shillings current money for each licence by him granted, for the use of this state, under the penalty of one hundred pounds current money, and may retain five shillings on each licence for his trouble.

Thirty shil-  
lings to be  
paid for li-  
cence, &c.

XIV. And be it enacted, That the chancellor shall and may hear and determine all causes for alimony, in as full and ample manner as such causes could be heard and determined by the laws of England in the ecclesiastical courts there.

Chancellor to  
determine  
causes for ali-  
mony, &c.

XV. And be it enacted, That the general court may inquire into, hear and determine, either on indictment or petition of either of the parties, the validity of any marriage, and may declare any marriage contrary to the table in this act, or any second marriage, the first subsisting, null and void ; and on appeal the depositions and evidence given in the cause shall be transmitted with the record to the court of appeals, and thereupon such cause shall be heard, determined and adjudged *de novo*.

General court  
to determine  
the validity of  
marriages,  
&c.

C H A P. XIII.

An ACT for the more speedy and effectual recovery of common law fines, and forfeited recognizances.

WHEREAS the public administration of justice has been greatly impeded by the many forfeitures of recognizances taken for the appearance of offenders, and witnesses against them, and the irregular collection of the stipulated sums thereon due ; and also on the common law fines imposed on public delinquents ;

Preamble.

II. Be it therefore enacted, by the general assembly of Maryland, That from and after the first day of June next, whenever any recognizance, taken for the appearance of any person or persons to answer, or of any person or persons to testify, shall be forfeited in any court of record, or where any fine or fines shall, after the said first day of June next, be imposed by any court of record for any common law offence, on any person or persons, it shall and may be lawful for the attorney-general, or either of his deputies, to order a writ or writs of *capias ad satisfaciendum*, or a writ or writs of *fiere facias*, to be issued for the recovery of the sum or sums thereon due, on which writ or writs such proceeding shall and may be had, as in cases where similar writs are issued on judgments obtained in personal suits.

Recogni-  
zances forfeit-  
ed, &c. attor-  
ney-general  
to order writs,  
&c.

III. And be it enacted, That all sums which shall arise due for such forfeitures and fines, shall be paid into the hands of the attorney-general, or his deputies, in their respective counties, and shall be by them respectively paid over yearly, on or before

Fines to be  
paid to attor-  
ney-general,  
&c.